GOVERNMENT OF INDIA
COMMUNICATIONS
LOK SABHA

STARRED QUESTION NO:299
ANSWERED ON:22.03.2017
Privacy of Data
Thakur Shri Anurag Singh

Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether adequate steps have been taken/proposed to be taken by the Government to ensure data privacy of users and the security of free and public Wi-Fi connections being provided at several locations of the country such as railway stations, airports and other public places etc. and if so, the details thereof;

(b) whether the Government proposes to make it mandatory for the aforementioned locations to display information regarding the safe internet browsing and usage practices; and

(c) if so, the details thereof and if not, the reasons therefor?

Answer

THE MINISTER OF STATE (IC) OF THE MINISTRY OF COMMUNICATIONS &
MINISTER OF STATE IN THE MINISTRY OF RAILWAYS
(SHRI MANOJ SINHA)

(a) to (c) A Statement is laid on the Table of the House.

STATEMENT TO BE LAID ON THE TABLE OF THE LOK SABHA IN RESPECT OF PARTS (a) TO (c) OF LOK SABHA STARRED QUESTION NO.299 FOR 22ND MARCH, 2017 REGARDING "PRIVACY OF DATA".

(a) Madam, yes, Government has taken adequate steps to ensure data privacy of users and the security of free and public Wi-Fi connections being provided at several locations of the country such as railway stations, airports and other public places. Intentionally damaging or tampering with telegraphs or unlawfully attempting to learn the contents of messages is punishable offence as per the Section 24, 25 & 26 of the Indian Telegraph Act. Moreover, DoT has issued instructions in February 2009 to Telecom Service Providers who have been granted Licenses for provision of Telecom services regarding safeguards in provision of WiFi Internet services in the delicensed frequency band for secure use of WiFi services including those provided at public places i.e. Hotel, Restaurants, Airports, Malls, Shops, Railway Stations through Hotspot.

Further, a document on Security in Public WiFi Implementations-Best Practices was circulated to Internet service Providers (ISPs) for implementation..

(b) & (c) As of now, there is no proposal to make it mandatory to display information at aforementioned locations regarding the safe internet browsing and usage practices for public Wi-Fi connections. The program of MeitY entitled "Information Security Education and Awareness (ISEA)" has an objective of Creation of Mass Information Security Awareness towards academic, general and Government users covering approximately 3 crore internet users for the period 2014 - 2019. Further, Government has instructed Telecom Service Providers/Internet Service Providers under Unified License (Similar provisions in other Licences also) to protect the interest of the stakeholders/customers and privacy of the individual as indicated below:

"37.2 Subject to terms and conditions of the license, the Licensee shall take all necessary steps to safeguard the privacy and confidentiality of any information about a third party and its business to whom it provides the Service and from whom it has acquired such information by virtue of the Service provided and shall use its best endeavors to secure that:

a) No person acting on behalf of the Licensee or the Licensee divulges or uses any such information except as may be necessary in the course of providing such Service to the Third Party; and

b) No such person seeks such information other than is necessary for the purpose of providing Service to the Third Party.
Provided the above para shall not apply where:

a) The information relates to a specific party and that party has consented in writing to such information being divulged or used, and such information is divulged or used in accordance with the terms of that consent; or

b) The information is already open to the public and otherwise known.

37.3 The Licensee shall take necessary steps to ensure that the Licensee and any person(s) acting on its behalf observe confidentiality of customer information.

39.4 The LICENSEE shall ensure protection of privacy of communication and ensure that unauthorized interception of messages does not take place.

39.23(xix) In order to maintain the privacy of voice and data, monitoring shall be in accordance with rules in this regard under Indian Telegraph Act, 1885".

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